



Tennessee Department of Agriculture
Water Resources Program

**Guidelines for Best Management Practice Installation With Funding Provided by the
Agricultural Resources Conservation Fund (ARCF)
Fiscal Year – 2009**

1. **Introduction.** The Tennessee Department of Agriculture (TDA) is authorized by TCA 67-4-409(l) to administer the Agricultural Resources Conservation Fund (ARCF). This statute states that the intent of the General Assembly is for **the highest priority of the ARCF to be the abatement and prevention of nonpoint source water pollution that may be associated with agricultural production**. Historically, funding has been provided to landowners through the Soil Conservation Districts (SCDs) for the installation of Best Management Practices (BMPs). New initiatives by the General Assembly have made it essential that the benchmark of program effectiveness be in terms of measurable water quality improvements. To this end, we strongly recommend the adoption by ARCF recipients of the following procedures.

Watershed Evaluations. All SCDs should evaluate the streams in their county, and should certainly be aware of the ones that are listed as impaired for agriculture on either the 2004, 2006 or 2008 303(d) Lists, as published by the Tennessee Department of Environment and Conservation-Division of Water Pollution Control. Agricultural land uses having an obvious negative impact on water quality should be identified by the SCD. The landowners in these identified areas should be contacted directly by the District, and encouraged to apply for cost share funding for the needed BMPs. Each SCD should consult with the appropriate TDA Watershed Coordinator prior to application submittal.

APPLICATION DEADLINE: May 20, 2008

Watershed Prioritization. Following the development of information regarding all the streams in the county, the SCD Board, the District Conservationist, the TDA Watershed Coordinator, and any other persons involved locally should collaborate to rank the applications submitted by landowners for BMP cost share. The criteria for ranking needed BMPs should focus on the likelihood of obtaining measurable water quality improvements from the BMP installation. TDA recommends that SCDs develop a plan to systematically address all watersheds in their counties, and set the goal of removing streams or segments of streams from the 303(d) List, and also to remove sources of impairment from streams not currently listed, so as to prevent them from being listed as an impaired water. This can be accomplished by focusing on one small watershed at a time, installing all needed BMPs within that small watershed and moving on to the next small watershed, utilizing a “worst watershed first” approach. The intent of this effort should be to remove nonpoint pollution sources from all waters in each District. In order to achieve the objectives mandated by the General Assembly, TDA is requiring all BMP implementation programs to have a watershed focus. The process is outlined as follows:

1. Select a watershed, no larger than a twelve-digit Hydrologic Unit area.
2. Evaluate the watershed, identifying all BMPs that are needed to stop active erosion or the direct transport of pollutants to the state’s waters,
3. Attempt to obtain 100% landowner participation in the watershed, through one-on-one meetings, phone calls, site visits, or educational forums, etc.,
4. Apply for funding from TDA. List the watersheds in order of priority.
5. Install funded BMPs, and
6. Coordinate with TDA for watershed monitoring after the BMP installations are complete.

Projects submitted as a result of this process will receive primary consideration for approval for cost-share funding. It is imperative that the funds used through this program demonstrate that voluntary cost share programs can restore impaired waters.

Additional Funding. If at any time during the watershed evaluation the SCD becomes aware of water quality problems in their county that are not related to agricultural practices, and there is local interest in solving these problems, the SCD is encouraged to contact TDA and make an application for funding through the 319 nonpoint source program.

2. **Guidance for BMP Implementation.** Certain BMPs will be eligible to receive cost share funds through TDA's ARCF in Fiscal Year 2009. The funds will be administered locally through the Soil Conservation District Board of Supervisors in each county and with other partners, with the concurrence of TDA's Watershed Coordinators. Technical assistance will be provided by either the United States Department of Agriculture (USDA) Natural Resources Conservation Service(NRCS) or District technicians. Specifications for all BMPs will be in accordance with the NRCS Field Office Technical Guide. Conservation Plans will be developed by the NRCS District Conservationists or the District Technicians and will be strictly adhered to for the purpose of establishing eligibility for cost share payment. Estimates are required for all projects. Only the input rates specified in the Conservation Plan will be eligible to receive cost share funding.

Except as explicitly provided in Section 3 of this Guidance, equipment and labor costs supplied by the Cooperator/landowner (seedbed preparation, tractor usage, etc.) will not be eligible for cost share. Contracted labor is eligible for cost share and labor rates must be consistent with competitive local labor rates. Bills for labor will be evaluated by TDA Watershed Coordinators for consistency with published labor rates as available. Specialized equipment costs will be eligible for cost share, such as no-till drills, spriggers, bulldozers, backhoes, etc., and will be evaluated on a case-by-case basis.

The life span of all practices shall conform to NRCS guidelines. The cooperator shall reimburse the State on a pro-rated basis for the destruction of any cost-shared BMP before the end of the expected useful life of the BMP.

Agricultural BMPs installed in watersheds that are listed as impaired for agriculture on the 2004, 2006 or 2008 303(d) Lists are eligible for cost-share at the 85% level. The cost-share for BMPs in other watersheds remains at 75%. The SCD Board of Supervisors may elect to set a lesser percent for cost shares or use another payment system such as a flat rate. In all cases however, close attention should be given to the specific BMPs for which cost-share funding is requested.

Practices that will result in a high degree of water quality improvement should not be under-funded to the extent that they are not installed. In the event of additional cost share funding from another source, the total amount of all cost shares shall not exceed 90% of the total cost of establishing the BMP.

- 3A. **BMP Specifics.** Consistent with the TDA policy that was implemented in FY 2000, certain BMPs will be eligible for cost share without the need for a preliminary site visit from the Watershed Coordinator to determine eligibility. The following is a list of these **"No Site Visit Required" BMPs:**

1. **Cropland Conversion.** Seeding will be funded for the establishment of a permanent vegetative cover to be used for pasture or hay land. **SOIL TESTING IS REQUIRED. SOIL TEST RESULTS MUST BE OBTAINED SOLELY FROM THE UNIVERSITY OF TENNESSEE SOIL TESTING LAB AND THOSE RESULTING RECOMMENDATIONS MUST BE FOLLOWED FOR LIME AND FERTILIZER APPLICATION.** Eligible seeding rates and dates are those specified on the NRCS Conservation Plan or in accordance with the University of Tennessee Publication PB 378. Local SCD Boards, with the

concurrence of the TDA Watershed Coordinator and the NRCS District Conservationist, have the option to extend seeding dates in the event that weather conditions prevent adherence to specified dates. Companion crop seeds (e.g. wheat) will not be eligible for cost share. Maintenance for a minimum of five years will be required on all permanent vegetative covers.

2. **Grade Stabilization Structures.**
3. **Sediment Control Basins.** Emphasis should be placed on this practice as a component of a larger field system for erosion control.
4. **Diversions.**
5. **Terraces.**
6. **Grassed Waterways.**
7. **Buffer/Filter Strips.**

3B. Certain BMPs will be eligible for cost share only after a site visit has been made to determine eligibility. The following is a list of these “**Site Visit Required**” BMPs:

1. **Heavy Use Areas.**
2. **Critical Area Treatment.**
3. **Winter Cover- 21 West Tennessee Counties.** Cost share for winter cover shall not exceed 75% of the seed cost. Harvesting or haying will be allowed on winter cover practices, if winter cover is aurally seeded or drilled into existing residue. Seeding rates and dates will be either specified in the NRCS Conservation Plan or in accordance with the University of Tennessee Publication PB 378.
4. **Winter Cover- 74 Middle and East Tennessee Counties.** . Cost share for winter cover shall not exceed 75% of the seed cost. Harvesting, haying or grazing will be allowed on winter cover practices after the 1st of April. Seeding rates and dates will be either specified in the NRCS Conservation Plan or in accordance with the University of Tennessee Publication PB 378.
5. **Ponds, Wells, and Spring Development.** Ponds, wells, or spring developments deemed eligible for funding must be a component of a livestock exclusion system or a rotational grazing system, consistent with the Conservation Plan. Cost share for ponds, wells, or spring developments shall not exceed 75% of the establishment cost, with a payment limitation of \$1500 for these practices.
6. **Livestock Exclusion Systems.** The purpose of this practice is to control access of livestock to waters of the state. Components may include alternative watering sources, stream crossings, limited stream or pond access, streambank stabilization and/or restoration, and fencing. Livestock must be present on the farm prior to installation of these practices, or to qualify for rotational grazing cost-share. (See Rotational Grazing System below)
7. **Watering Tanks.** All watering tanks must be installed on a heavy use area in order to be approved for cost share.

8. **Streambank Stabilization and/or Restoration**, other than Livestock Exclusion.
 9. **Rotational Grazing Systems.** Cost share for fencing for rotational grazing will be limited to cross-fencing of existing field boundaries. Cost share will be \$0.25 per strand-foot, consistent with the USDA-NRCS Payment Schedule. Woven wire fencing will be considered equivalent to a 6-strand fence. Property boundary fencing is not eligible for cost share. The number of paddocks and watering facilities will be determined by the Watershed Coordinator on a case-by-case basis. Cost share of all other system components will be 75% of actual cost.
 10. **Animal Waste Systems, Including Poultry Litter Storage Buildings, Composters and Incinerators.** The cost share for these projects shall not exceed 75% of actual costs, with the maximum payment to be determined by fund availability. TDA Watershed Coordinators will evaluate requests for components of animal waste systems on small farms on a case by case basis. Eligible poultry producers are those that were in operation prior to May 1, 1999.
- 3C. If a BMP is not listed on either of the above lists, then it would be classified as a Miscellaneous BMP, and as such, would be in the “**Site Visit Required**” Category. The need for the practice must be determined by the TDA Watershed Coordinator in consultation with the NRCS District Conservationist and approved by the SCD Board.
4. **Information and Education (I&E) Projects.** Agricultural projects that are directed toward landowners, producers and managers, such as field days, BMP demonstrations, seminars, informational material, and training/workshop events will be eligible, pending approval and funding availability. Each funded project shall include a means of testing the success of the educational activity, such as an evaluation form, survey, etc. The survey results shall be submitted with the reimbursement request. A standard evaluation form will be furnished at a later date. Justification must be made for events with cost requests exceeding \$1000.